



General Assembly

Amendment

February Session, 2010

LCO No. 3696

HB0540203696HDO

Offered by:

REP. WILLIS, 64th Dist.

SEN. RORABACK, 30th Dist.

To: House Bill No. 5402

File No. 372

Cal. No. 205

"AN ACT CONCERNING EXPENSES FOR HEALTH BENEFIT PLANS UNDER THE TEACHERS' RETIREMENT FUND."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 10-183ff of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2010*):

5 (a) Should any change or error in records result in any member or
6 beneficiary receiving from the teachers' retirement system more or less
7 than he would have been entitled to receive had the records been
8 correct, then upon discovery of any such error the Teachers'
9 Retirement Board shall notify the member or beneficiary affected and
10 correct the same, and as far as practicable shall adjust the payments in
11 such manner that the actuarial equivalent of the benefit to which such
12 member or beneficiary was correctly entitled shall be paid, provided if
13 such change or error results in any member or beneficiary receiving
14 less than he would have been eligible to receive, such member or

15 beneficiary may elect to have such benefit paid in a single payment.

16 (b) If a member or beneficiary has been overpaid through no fault of
17 his own, and he could not reasonably have been expected to detect the
18 error, the board may waive any repayment which it believes would
19 cause hardship.

20 (c) Upon determination by the Teachers' Retirement Board that any
21 person has erroneously been included in membership in the teachers'
22 retirement system, contributions and interest credited under the
23 provisions of this chapter shall be refunded and records of related
24 service voided.

25 (d) Upon determination that the Teachers' Retirement Board has
26 invoiced a member for the purchase of additional credited service in
27 an amount in excess of that permitted by law, and such member has
28 paid the invoiced amount, the amount of the overpayment shall be
29 refunded to such member with interest at a rate equal to the average of
30 interest rates for the most recent ten-year period from the date of the
31 member's retirement to the date such amount is refunded.

32 (e) Upon determination that a member has not purchased additional
33 credited service which was invoiced to him in an amount in excess of
34 that permitted by law, such member shall be given the opportunity at
35 any time to make such purchase by the payment of the proper amount
36 with interest to the date of payment. The additional benefit resulting
37 from the credited service so purchased shall be made retroactive to the
38 date of the member's retirement, and the aggregate amount of such
39 additional benefit shall be paid to the member in a single payment
40 together with interest calculated at a rate equal to the average of
41 interest rates for the most recent ten-year period from the date each
42 payment was due to the date such payment is made.

43 (f) Upon determination by the Teachers' Retirement Board that a
44 member received, on or after November 1, 2008, an estimate of benefits
45 statement from the board that contained a material error, the board
46 shall pay the member the benefits set forth in such estimate if the

47 board determines that (1) the member could not reasonably have been
48 expected to detect such error, and (2) the member, in reliance upon
49 such estimate, irrevocably submitted (A) his or her resignation to the
50 employing board of education, and (B) a formal application of
51 retirement to the Teachers' Retirement Board. For purposes of this
52 subsection, material error means an error that amounts to a difference
53 of ten per cent or greater between the estimated retirement benefits
54 and the actual retirement benefits to which such member would
55 otherwise be entitled."